

292901



J. Ashley Cooper

Partner

Telephone: 843.727.2674

Direct Fax: 843.727.2680

ashleycooper@parkerpoe.com

Atlanta, GA  
 Charleston, SC  
 Charlotte, NC  
 Columbia, SC  
 Greenville, SC  
 Raleigh, NC  
 Spartanburg, SC  
 Washington, DC

RECEIVED

JUL 21 2020

PSC SC  
MAIL / DMS

July 21, 2020

VIA HAND DELIVERY

Jocelyn G. Boyd

Chief Clerk/Administrator

Public Service Commission of South Carolina

Post Office Drawer 11649

Columbia, SC 29211

RECEIVED  
 2020 JUL 22 PM 4:15  
 SC PUBLIC SERVICE  
 COMMISSION

**Re: Filing of Prehearing Brief and Request for Confidential Treatment - Petition of  
 Bridgestone Americas Tire Operations, LLC for an Order Compelling  
 Dominion Energy South Carolina, Inc. to Allow the Operation of a 1980 kW  
 AC Solar Array  
 Docket No. 2020-63-E**

Dear Ms. Boyd:

Pursuant to Order No. 2020-37-H, dated May 7, 2020, Dominion Energy South Carolina, Inc. ("DESC") hereby files the enclosed prehearing brief (the "Brief") with the Public Service Commission of South Carolina (the "Commission") in the above-referenced docket.

However, due to the commercially sensitive and proprietary nature of certain information contained in the Brief, as well as the highly competitive nature of the industry in which DESC operates, DESC respectfully requests that the Commission find that portions of the Brief contain protected information and issue a protective order barring the disclosure of such portions of the Brief under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 et seq., S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law. Pursuant to S.C. Code Ann. Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A (as amended by Order No. 2020-490), we enclose with this letter a redacted version of the Brief that protects from disclosure the sensitive, proprietary, and commercially-valuable information, while making available for public viewing the non-protected information. We also enclose an unredacted copy of the Brief in a separate, sealed envelope and respectfully request that, in the event that anyone should seek disclosure of the unredacted version, the Commission notify DESC of such request and provide it with an opportunity to

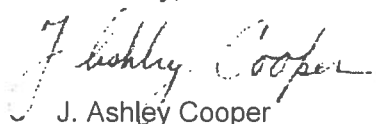
obtain an order from this Commission or a court of competent jurisdiction protecting such portions of the Brief from disclosure.

Enclosed are the following:

1. A true and correct copy of the original Brief in a sealed envelope marked "CONFIDENTIAL." Each page of the Brief is also marked "CONFIDENTIAL." Additionally, DESC has clearly and specifically marked every piece of confidential information in the Brief, in accordance with Order No. 2020-490.
2. Ten (10) copies of redacted version of the Brief for filing and public disclosure.

By copy of this letter, we are serving the parties of record with a copy of the Brief and attach a certificate of service to that effect. Additionally, DESC will make the original, unredacted copy of the Brief available to the Office of Regulatory Staff for its review upon request. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "J. Ashley Cooper".

J. Ashley Cooper

JAC:vbb

Enclosures

cc: (Via Electronic Mail and First Class Mail)

Scott Elliott, Esquire

J. Blanding Holman, IV, Esquire

Alexander W. Knowles, Esquire

Katherine Nicole Lee, Esquire

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2020-63-E**

IN RE:

Petition of Bridgestone Americas Tire Operations, LLC for an Order Compelling Dominion Energy South Carolina, Inc. to Allow the Operation of a 1980 kW AC Solar Array

**DOMINION ENERGY SOUTH  
CAROLINA, INC.'S PREHEARING  
BRIEF**

Pursuant to Order No. 2020-37-H, dated May 7, 2020, and S.C. Code Ann. Reg. 103-851 (2012), Dominion Energy South Carolina, Inc. (“DESC”) submits its pre-filed brief to the Public Service Commission of South Carolina (the “Commission”) in the above-captioned matter.

## STATEMENT OF THE CASE

Bridgestone Americas Tire Operations, LLC’s (“BATO”) Petition (the “Petition”) seeks an order from the Commission (i) exempting BATO’s 1,980 kilowatt (“kW”) alternating current (“AC”) solar array (the “Generating Facility”) from Commission Order No. 2016-191, which approved the South Carolina Generator Interconnection Procedures, Forms, and Agreements (the “South Carolina Standard”), or (ii) waiving application of the South Carolina Standard and allowing BATO to immediately operate the Generating Facility in parallel with the DESC system. The core decisions for this Commission are:

1. Does the South Carolina Standard apply to the Generating Facility, which seeks to interconnect and operate in parallel with the DESC system?
2. If the South Carolina Standard does apply, should BATO be granted a waiver by the Commission to immediately interconnect and operate in parallel with the DESC system without study and review?

3. Regardless of whether the South Carolina Standard applies or BATO is granted a waiver of the same, can BATO operate the Generating Facility in violation of its Electric Service Contract?
4. If the Commission determines that the South Carolina Standard does not apply, can the Commission order the Generating Facility to operate in violation of applicable Federal Energy Regulatory Commission (the “FERC”) regulations?

For the reasons stated below, the South Carolina Standard applies to the Generating Facility and any waiver of the South Carolina Standard is ill-advised, unsafe, and sets a dangerous precedent for other entities seeking to avoid the safety and reliability requirements of the South Carolina Standard.

### **EVIDENCE ABSTRACT**

DESC will rely upon the following evidence in establishing its position before the Commission:

- The South Carolina Generator Interconnection Procedures, Forms, and Agreements;
- The Generating Facility’s interconnection application, and all documents submitted in support thereof;
- BATO’s Electric Service Contract, dated January 12, 2009 (the “Service Contract”);
- Direct and surrebuttal testimony submitted on behalf of DESC;
- Direct and rebuttal testimony submitted on behalf of BATO;
- All documents filed or referenced in Docket No. 2020-63-E;
- All evidence utilized or referenced by DESC or BATO in this proceeding; and
- All evidence necessary for impeachment and rebuttal purposes.

### **STATEMENT OF FACTS**

BATO is a large industrial customer of DESC, and DESC supplies power to BATO pursuant to the Service Contract. The Service Contract was approved by the Commission in Order

No. 2009-102. Given the magnitude of BATO's electric load under the Service Contract, BATO is directly connected to the DESC transmission system—which contains assets comprising the Bulk Electric System (“BES”)—via a 115 kilovolt (“kV”) transmission line. The transmission line serving BATO contains a complex automatic switching scheme in order to improve electric service restoration of the BATO facility in the event of a fault. This configuration is not typically utilized by industrial customers on the DESC system—even those with larger loads like BATO.

The South Carolina Standard, which was approved by the Commission in April of 2016, requires that any generator seeking “interconnection and parallel operation” with the DESC system in South Carolina must be processed in accordance with the South Carolina Standard.<sup>1</sup> On April 25, 2017, BATO completed an interconnection application under the South Carolina Standard for the Generating Facility to connect to a 23 kV distribution line in order to participate in DESC's Bill Credit Agreement (“BCA”) program, a Commission-approved Distributed Energy Resource Program. However, the BCA program was suspended indefinitely by Commission Order No. 2017-246 on April 27, 2017. Although the Generating Facility was ineligible for the BCA program, BATO maintained its application in the interconnection queue pursuant to the South Carolina Standard. In compliance with the South Carolina Standard, DESC examined the application under the Fast Track Process in Section 3 of the Procedures in the South Carolina Standard (the “Procedures”).<sup>2</sup> However, the request was ultimately withdrawn due to BATO's lack of responsiveness.<sup>3</sup>

The evidence will show that in February 2018, BATO submitted a second interconnection application (which is the subject of the instant proceeding) for the Generating Facility that DESC

---

<sup>1</sup> Section 1.1.1 of the Procedures.

<sup>2</sup> Unlike this initial request, the current configuration of the Generating Facility seeks interconnection with the transmission system. Section 3.2.1.1 prohibits the Fast Track Process for projects connecting to the transmission system.

<sup>3</sup> BATO did not respond to DESC's offer of Supplemental Review within the ten business day period required by Section 3.3.

and BATO agreed would be processed under the South Carolina Standard.<sup>4</sup> The Generating Facility was placed in the state interconnection queue at position 375. Given that the transmission-interconnected, parallel operating Generating Facility was ineligible for the Fast Track Process, DESC was required to process the Generating Facility's interconnection application in accordance with established queue-maintenance processes in the South Carolina Standard. However, as described below, BATO challenged the applicability of the South Carolina Standard prior to the time DESC would have been permitted to study and review the Generating Facility. As such, BATO has not signed an interconnection agreement.

It is DESC's understanding that only a few short months after BATO submitted its second interconnection application for the Generating Facility under the South Carolina Standard, the Office of Regulatory Staff (the "ORS") informed DESC via email dated May 18, 2018, that BATO had "contacted the ORS related to an interconnection queue concern." On May 29, 2018, the ORS issued a formal ORS Utility Services Request (the "ORS Request") to DESC. DESC fully cooperated and provided complete answers to the ORS Request on June 1, 2018. Therein, DESC informed the ORS that the South Carolina Standard applied to the Generating Facility.

On June 14, 2018, the ORS informed DESC that the ORS had reviewed the information provided by BATO and DESC. As a result of that conversation, DESC will testify that the ORS agreed and supported DESC's position that the Generating Facility is subject to the jurisdiction of the South Carolina Standard. During a meeting facilitated by the ORS at the BATO facility on June 26, 2018, DESC again re-iterated to BATO that DESC is required to process the interconnection application in accordance with the South Carolina Standard and that any waiver

---

<sup>4</sup> As discussed in greater detail below, DESC and BATO acknowledged even prior to February 2018 that the Generating Facility is subject to the South Carolina Standard.

from of the South Carolina Standard could only be issued by the Commission.<sup>5</sup> However, BATO failed to concede the same and still incorrectly maintains that the South Carolina Standard does not apply to the Generating Facility.

Nevertheless, DESC continued to work with BATO to explain why DESC must process the Generating Facility in accordance with the South Carolina Standard. Even as BATO disputed the belief of the ORS and the stated position of DESC, it continued to construct the Generating Facility, which was completed in October 2018, knowing that DESC would not allow the Generating Facility to be interconnected to the DESC system without proper study and review under the South Carolina Standard.

Now, BATO points to DESC and the Commission-approved South Carolina Standard as the culprits for an idle Generating Facility. Despite the efforts of DESC and the ORS to explain to BATO precisely why the Generating Facility falls under the South Carolina Standard given that it will interconnect with the DESC system and operate in parallel with the same, BATO filed the instant Petition on February 14, 2020.

### **STATEMENT OF LEGAL ISSUES**

#### **I. The Generating Facility Is Subject To The South Carolina Standard Because It Will Interconnect And Operate In Parallel With The DESC System.**

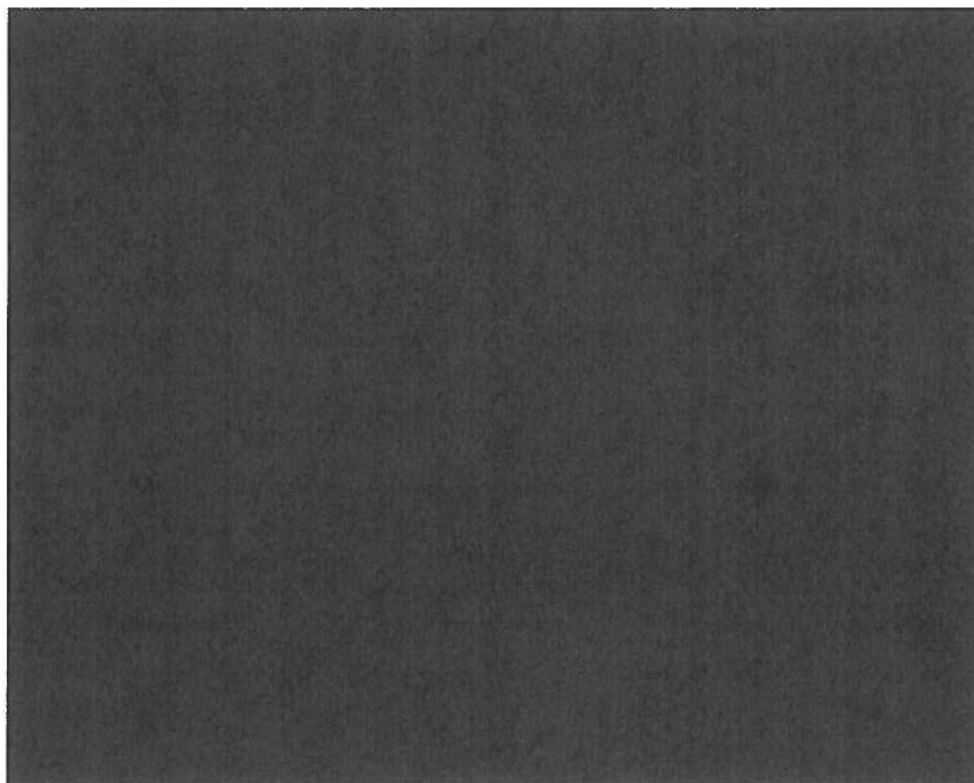
The Generating Facility will interconnect and operate in parallel with the DESC system because it will supply power to serve BATO's electric load, which will result in a simultaneous confluence of the power supplied by (i) DESC and (ii) the Generating Facility. As a result, if the Generating Facility is placed into operation, it would need to "sync or match" certain specified parameters—like voltage and frequency—of the power supplied by DESC to ensure the reliability of the DESC system and the BATO plant. Clearly, the Generating Facility embodies the

---

<sup>5</sup> DESC will testify that the ORS's presentation at the meeting supported DESC's position that the South Carolina Standard applies to the Generating Facility. Nevertheless, DESC recognizes that the ORS's opinions are unable to bind the Commission, and DESC has never stipulated that they could.

fundamental requirements that trigger the applicability of the South Carolina Standard—  
“interconnection and parallel operation.”<sup>6</sup>

As shown below, the Generating Facility, the BATO facility, and the DESC system are all connected at a common node within the BATO facility.



The BATO configuration diagrammed above is an excerpt from BATO’s one-line diagram submitted with its interconnection application, and is an accurate representation that also happens to be a simple, straight-forward example of parallel operation. As such, operation of the Generating Facility while DESC is supplying power to the BATO facility would result in parallel operation under the South Carolina Standard. This is not a hyper-technical engineering issue that requires experts and voluminous technical analysis. To the contrary, this is basic electrical

---

<sup>6</sup> Section 1.1.1. of the Procedures.



engineering. Likewise, it would remain true even if the Generating Facility were 40 megawatts (“MW”) in size or 40 kW in size.

Therefore, BATO’s position that it is not interconnected and will not operate in parallel to the DESC system clearly fails. From a technical perspective, the only way for the Generating Facility to not be subject to the South Carolina Standard would be for the Generating Facility to disconnect from all equipment that is electrically connected to the DESC system. However, the BATO facility takes power from the DESC system and the Generating Facility is connected with the very same equipment that takes such power from DESC. The interconnection and parallel operation is further evidenced by the fact that BATO had to install certain protective relays to mitigate the risk that the Generating Facility actually flowing power back to the DESC system (i.e., reverse flow). Interestingly, and as evidence of the conflicting arguments BATO raises, BATO acknowledges the reverse flow relays, but argues these devices should exempt it from the South Carolina Standard.

This is such a fundamental point of the South Carolina Standard that this is the first time since the enactment of the South Carolina Standard that a generator on the DESC system has argued that its generator would not interconnect and operate in parallel with the DESC system. To be clear, the South Carolina Standard specifically requires DESC to study and review the Generating Facility to ensure safety and reliability precisely because of the dangers parallel operation can present if not done properly.<sup>7</sup> Importantly, DESC advocates—on the record in this proceeding—that any faults, reliability issues, or dangerous conditions brought about by the Generating Facility on the DESC system should be addressed pursuant to the South Carolina Standard and in accordance with Good Utility Practices (as defined by the South Carolina

---

<sup>7</sup> These study and review requirements are found throughout the South Carolina Standard. *See, e.g.*, Section 4.3.3 of the Procedures (The System Impact Study shall evaluate the impact of the proposed interconnection on the reliability of the electric system); Section 4.4.3 of the Procedures (The Facilities Study report shall specify and estimate the cost . . . to allow the Generating Facility to be interconnected and operated safely and reliably).

Standard). As evidenced by the surrebuttal testimony of DESC Witness Xanthakos, the need for DESC to study generators on its system is a widely-recognized concept that exists even outside of the South Carolina Standard.<sup>8</sup> For BATO to disclaim such a fundamental, widely-recognized principle as this is simply an act of self-interest, and DESC firmly objects to such a dangerous precedent.

**II. Given That The Generating Facility Is Subject To The South Carolina Standard, DESC Must Process The Interconnection Application In Accordance With The South Carolina Standard, And BATO's Desire To Recoup Its Investment In The Generating Facility Does Not Merit A Waiver Of These Requirements.**

A core tenet of the South Carolina Standard is that DESC must process interconnection applications in accordance with the South Carolina Standard.<sup>9</sup> The South Carolina Standard permits a developer to “take a number” for their project and wait for their project to be processed in accordance with the defined procedures and associated timing requirements.<sup>10</sup> An important component of these procedures is the study and review process. This process provides for an orderly, fair way for DESC to manage the interconnection applications it receives. DESC simply cannot violate the South Carolina Standard by permitting the Generating Facility to proceed directly into operation ahead of the hundreds of projects that—although some may experience the same frustrations—have waited in the queue without initiating an adversarial action before the Commission in order to disavow the South Carolina Standard entirely. Simply put, DESC does not possess the authority to unilaterally allow BATO and the Generating Facility to move to the “head of the line.”

---

<sup>8</sup> DESC is also required to study such generation under applicable NERC Reliability Standards.

<sup>9</sup> The definition of “Queue Number” in the Glossary of Terms in the South Carolina Standard mandates that “[a] lower Queue Number will be studied prior to a higher Queue Number.”

<sup>10</sup> The South Carolina Solar Business Alliance similarly acknowledged these requirements by its letter submitted in this docket on April 29, 2020, which informed the Commission that, “[o]ur members also rely on the fair and nondiscriminatory application of the state’s interconnection procedures, and SCSBA maintains that an unequal application of the law can result in discrimination and a competitive disadvantage for those businesses that operate within the current regulatory rules as adopted by this Commission.”

Indeed, DESC must process all projects in an orderly fashion to ensure the safety and reliability of the entire DESC system. Bypassing this safety and reliability process entirely would necessarily mean that DESC would have no oversight if BATO later increased its generating capacity, either by expanding the Generating Facility or adding another generator. This would leave DESC in the position of taking reactive measures to protect its employees, facilities, and other customers, rather than proactively study and review in accordance with the South Carolina Standard.

If the Commission wishes to permit BATO to bypass the South Carolina Standard entirely and immediately operate the Generating Facility, it may do so. However, any such waiver should be limited in scope and granted based upon a public policy interest. For example, the FERC has considered waivers as appropriate in circumstances where an “emergency situation or an unintentional error was involved.”<sup>11</sup> Additionally, the FERC noted that a one-time waiver may be appropriate where “good cause for a waiver of limited scope exists, there are no undesirable consequences, and the resultant benefits to customers are evident.”<sup>12</sup> Outside of precedent from the FERC, there may be other public policy grounds to grant such a waiver as well, such as promoting grid security or enhancing cyber security.<sup>13</sup> Certainly, these public policy issues could be well-suited for the Commission’s issuance of a waiver in other cases.

However, the record in this docket is completely lacking any such interest. Despite BATO’s purported desire that BATO’s “commitment to sustainability is more than a dollar investment,”<sup>14</sup> the record and the availability of renewable energy certificates (“RECs”) indicate

---

<sup>11</sup> *Southwest Power Pool, Inc.*, 126 FERC ¶ 61,012, at P 36 (2009).

<sup>12</sup> *Id.*

<sup>13</sup> On May 1, 2020, President Trump signed Executive Order 13920, “Securing the United State Bulk-Power System,” which authorizes the U.S. Secretary of Energy to work with the Cabinet and the energy industry to better secure the BES. The Executive Order noted that the BES “is fundamental to national security emergency services, critical infrastructure, and the economy.”

<sup>14</sup> Cannon Rebuttal Testimony 4:19-20, July 7, 2020.

otherwise.<sup>15</sup> The Petition states that the Generating Facility will protect BATO from “rising utility costs” and would offset BATO’s “electricity costs by \$20,000 per month.”<sup>16</sup> BATO Witness Cannon goes on to state that if DESC truly valued BATO, it would permit the Generating Facility to operate so that BATO could “benefit from the resulting savings in energy costs.”<sup>17</sup> In the end, BATO simply wants to begin recovering on the \$2,700,000 it spent to construct the Generating Facility—even though BATO began construction unilaterally and was aware it would be subject to the South Carolina Standard. In short, BATO conjured this dispute in an attempt to force DESC—and ultimately the Commission—to assume certain reliability and safety risks for one reason—so that BATO can begin operation of the Generating Facility immediately and recoup on its investment.

As such, BATO’s reasons underlying its request for special treatment are nowhere near the mark of the public policy required by the FERC, and certainly do not contribute to the security of the BES. Indeed, if the Commission did grant a waiver,<sup>18</sup> it is hard to imagine a waiver request that would not pass this minimum threshold, which would likely result in a barrage of waiver requests filed with the Commission. If BATO prevails on either of its arguments, expediency would prevail over the tenets of reliability and safety that are pillars of the South Carolina Standard. Surely, future generators will follow and flood the Commission requesting orders declaring them exempt as well. Essentially, the South Carolina Standard would be rendered useless.

---

<sup>15</sup> BATO Witness Cannon firmly admonished DESC for offering to provide RECs to assist in achieving BATO’s sustainability goals, saying BATO “should not be forced to purchase RECs if it has an alternative.” Cannon Rebuttal Testimony 5:1, July 7, 2020.

<sup>16</sup> Petition at ¶ 4.

<sup>17</sup> Cannon Rebuttal Testimony 5:4, July 7, 2020.

<sup>18</sup> Should the Commission elect to grant a waiver, the waiver should be narrowly tailored to only the queueing requirements such that DESC could study the interconnection and parallel operation outside of the normal queue process to which other developers are subject.

**III. Even If BATO Is Not Subject To The South Carolina Standard, Any Operation Of The Generating Facility Without DESC's Prior Agreement Would Violate The Service Contract.**

Under the Service Contract, BATO is not permitted to operate the Generating Facility without DESC's prior consent, regardless of whether the Generating Facility is subject to the South Carolina Standard. Specifically, the Service Contract, which has been in effect for over a decade, incorporates DESC's General Terms and Conditions (the "Terms and Conditions"). The Terms and Conditions and the Service Contract were approved by the Commission. Section III.G of the Terms and Conditions provides that:

Electricity supplied by [DESC] shall not be electrically connected with any other source of electricity without reasonable written notice to [DESC] **and agreement by the parties of such measures or conditions**, if any, as may be required for **reliability** of both systems.

(emphasis added).

Here, the electricity supplied by DESC would be electrically connected to another source of electricity (i.e., the Generating Facility). As such, the Terms and Conditions clearly and unequivocally mandate that the Generating Facility cannot be operated until the parties come to an agreement on the measures required to ensure that the "reliability of both systems" (BATO's and DESC's) is not adversely affected.

Clearly, the parties have not reached an agreement on the measures required to ensure the reliability of the Generating Facility prior to its operation. Therefore, in order for the Generating Facility to operate in parallel on the DESC system without going through the study and review process of the South Carolina Standard, not only would the Commission have to grant an exemption or waiver to BATO, but it would also have to nullify or otherwise waive this provision of the Service Contract given that DESC's stated position is—and has been—that it must study and review the Generating Facility to ensure the safety and reliability of the DESC system.

**IV. If the Generating Facility Is Not State-Jurisdictional Under The South Carolina Standard, Then It Would Be Subject To The FERC's Jurisdiction Because It Connects To FERC-Jurisdictional Transmission Facilities.**

BATO does not stop at simply gutting the entire purpose of the South Carolina Standard, but it goes one step further to opine that it would also not be subject to regulation from the FERC.<sup>19</sup> Ultimately, this jurisdictional issue is for the FERC to decide—and BATO has not filed any action before the FERC regarding its claim. However, this sums up the illogical nature of BATO's argument, which simply states that the Generating Facility—an almost 2 MW solar generator that will flow power in conjunction with, and interconnect to, the DESC transmission system—is subject to neither state nor federal regulations. This argument defies logic because by arguing that one jurisdiction does not apply, BATO implicitly concedes to the jurisdiction of the other given that one must apply.

Should the Commission agree with BATO that the interconnection and parallel operation of the Generating Facility is not state-jurisdictional and not subject to the terms of the South Carolina Standard, then federal jurisdiction must apply. As such, the Commission would be without authority to hold that the South Carolina Standard is wholly inapplicable and order DESC to allow operation of the Generating Facility given that it would then fall with the FERC's jurisdiction.

In this scenario, any potential impact that the Generating Facility may cause to the DESC system—no matter how academic or theoretical—would affect “the transmission of electric energy” given the interconnection with transmission assets and thus brings this matter under the ambit of FERC jurisdiction in the absence of state jurisdiction.<sup>20</sup>

---

<sup>19</sup> See Petition at ¶ 7.

<sup>20</sup> FERC jurisdiction is triggered when, among other things, the request to interconnect is to facilities owned, controlled, or operated by the Transmission Provider or the Transmission Owner. See Order 2003 at P. 804.

This is a basic, non-controversial principle of energy law. FERC Order No. 888, *et al.*, required that transmission providers establish non-discriminatory generator interconnection procedures in their open access transmission tariffs (“OATT”), and in Order Nos. 2003 and 2006, the FERC established standard procedures for the interconnection of both large and small generators. As a transmission provider, DESC has an obligation to ensure the safety and reliability of its transmission system, while allowing others to interconnect to its system on a non-discriminatory basis. The large and small generator interconnection procedures found in DESC’s OATT are the avenue by which DESC ensures both the safety and reliability of generators subject to FERC’s jurisdictions. In cases where a state interconnection process does not apply, for whatever reason, the processes found in DESC’s OATT would apply in order that DESC may protect the safety and reliability of its system.

### CONCLUSION

The configuration of the Generating Facility evidences a clear, fundamental example of interconnection and parallel operation with the DESC system. Therefore, DESC is required to process the Generating Facility under the South Carolina Standard at the appropriate time (i.e., when it is the Generating Facility’s turn) to ensure the safety and reliability of the DESC system. The fact that DESC must study and review such generation on its system is widely recognized, even outside of the South Carolina Standard. It is so widely recognized that—until the Petition was filed—no generator on the DESC system had contested such fact, much less opine that it is subject to no regulation.

Without the ability to process the Generating Facility in accordance with the South Carolina Standard, DESC will have no insight as to the consequences and potential dangers that would occur on the DESC system once the Generating Facility commences operation. DESC strongly objects to any such decision that shifts BATO’s risk to the Commission and permits the

Generating Facility to operate on the DESC system outside of the South Carolina Standard. Any such decision to exempt the Generating Facility from the South Carolina Standard and permit its immediate operation may violate the FERC's jurisdiction and be in direct contradiction with DESC's obligation to study and review the Generating Facility outside of the South Carolina Standard. Regardless of whether the South Carolina Standard applies, the Service Contract expressly requires agreement between DESC and BATO as to the measures required to ensure the reliability of the Generating Facility and the DESC system.

In short, if BATO's argument is successful, it would lay a clear path whereby generators could seek to interconnect and operate in parallel on the DESC, while completely bypassing the South Carolina Standard and relevant contractual obligations. The safety and reliability of the DESC system would be permanently and adversely affected. For this and the other reasons stated above the Petition should be denied.

Respectfully Submitted,

s/ J. Ashley Cooper

K. Chad Burgess, Esquire

Matthew W. Gissendanner, Esquire

**Dominion Energy South Carolina, Inc.**

Mail Code C222

220 Operation Way

Cayce, South Carolina 29033-3701

Phone: (803) 217-8141

Fax: (803) 217-7810

Email: kenneth.burgess@dominionenergy.com

J. Ashley Cooper, Esquire

M. William Middleton, III, Esquire

Parker Poe Adams & Bernstein LLP

200 Meeting Street

Suite 301

Charleston, South Carolina 29401

Phone: (843) 727-2674

Fax: (843) 727-2680

Email: ashleycooper@parkerpoe.com



*Attorneys for Dominion Energy South Carolina,  
Inc.*

Cayce, South Carolina

This 21st day of July, 2020.

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2020-63-E**

**IN RE:**

Petition of Bridgestone Americas Tire  
Operations, LLC for an Order Compelling  
Dominion Energy South Carolina, Inc. to  
Allow the Operation of a 1980 kW AC Solar  
Array

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served on this day one (1) copy of **Dominion Energy South Carolina, Inc.'s Prehearing Brief** via electronic mail and U.S. First Class Mail upon the persons named below, addressed as follows:

J. Blanding Holman, IV, Esquire  
**SOUTHERN ENVIRONMENTAL LAW CENTER**  
525 East Bay Street  
Charleston, SC 29403  
Email: [bholman@selcsc.org](mailto:bholman@selcsc.org)

Alexander W. Knowles, Esquire  
**OFFICE OF REGULATORY STAFF**  
1401 Main Street, Suite 900  
Columbia, SC 29201  
Email: [aknowles@ors.sc.gov](mailto:aknowles@ors.sc.gov)

Katherine Nicole Lee, Esquire  
**SOUTHERN ENVIRONMENTAL LAW CENTER**  
525 East Bay Street  
Charleston, SC 29403  
Email: [klee@selcsc.org](mailto:klee@selcsc.org)

Scott Elliott, Esquire  
**ELLIOTT & ELLIOTT, P.A.**  
1508 Lady Street  
Columbia, SC 29201  
Email: [selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)

s/ J. Ashley Cooper

This 21st day of July, 2020.